

REMARKS

In response to the Office Action dated February 13, 2006, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

The drawings were objected to as allegedly not showing the step of accessing the stored known load patterns as recited in claim 1. Applicants submit that this step is presented in Figure 3, as step 311, which depicts accessing cell site/channel usage. Step 317 further depicts where the process determines which of the frequencies above the threshold has the least traffic at that time. This process is further depicted in Figure 4, which illustrates load patterns for various frequencies and the threshold 40. Thus, Applicants submit that the drawings do show the accessing the stored known load patterns as recited in claim 1.

Claims 1-7, 10, 11 and 33 were rejected under 35 U.S.C. § 103 as being anticipated by Bodin in view of Li. This rejection is traversed for at least the following reasons.

Claim 1 recites, *inter alia*, "wherein determining the level of traffic at each cellular site includes accessing stored known load patterns for each cellular site, the stored known load patterns associating a level of traffic with a time period for each cellular site such that selecting a cellular site for handoff is based in part on expected load at each cellular site." Support for this feature is provided, for example, in at least paragraph [0025] of Applicants' specification.

The Examiner acknowledges that Bodin fails to teach this feature and relies on Li as allegedly teaching this feature. Applicants submit that Li does not teach "wherein determining the level of traffic at each cellular site includes accessing stored known load patterns for each cellular site, the stored known load patterns associating a level of traffic with a time period for each cellular site such that selecting a cellular site for handoff is based in part on expected load at each cellular site."

Li considers traffic at a cell to determine whether cells serving a local service area should be opened up to users outside the cell or restricted to only users within the local service area. Thus, the processing in Li is not performed for selecting a cellular site for handoff, but rather is performed to determine the class of users that may access a cell in a local service area. If Li is combined with Bodin, there is still no teaching or suggestion of using known load patterns for selecting a cellular site for handoff based in part on expected

load at each cellular site as set forth in claim 1. Thus, the combination of Bodin and Li fail to teach the features of claim 1.

For at least the above reasons, claim 1 is patentable over Bodin in view of Li. Claims 2-7, 10, 11 and 33 variously depend from claim 1 and are patentable over Bodin in view of Li for at least the reasons advanced with reference to claim 1.

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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